

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VIAAS INC.,

Plaintiff,

v.

VIVINT SMART HOME INC.,

Defendant.

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CAUSE NO. WA-22-CV-1052-KC

ORDER

On this day, the Court considered Plaintiff's Motion for Venue Discovery ("Motion"), ECF No. 21. The Motion does not contain a Certificate of Conference stating Defendant's position on venue discovery, as required by Local Rule CV-7(G). Moreover, per the Court's previous order:

[I]f Defendant files a motion to dismiss the First Amended Complaint, the parties must **MEET AND CONFER** on the anticipated scope and length of any venue discovery. If Plaintiff intends to conduct such discovery, the parties must then **FILE** a notice that states the anticipated scope of discovery, states the date by which it will be completed, and explains why the requested scope and duration of discovery is reasonable in light of the questions presented by the new motion to dismiss. To the extent the parties disagree on any of these issues, they shall indicate their respective positions. The parties must file this notice **within fourteen days** of the filing of the motion to dismiss the First Amended Complaint.

Jan. 4, 2023, Order, ECF No. 18.

Accordingly, the Court **ORDERS** that Plaintiff's Motion, ECF No. 21, is **DENIED**. Plaintiff may refile a motion for venue discovery in compliance with the Local Rules and the Court's January 4, 2023, Order **on or before January 31, 2023**.

SO ORDERED.

SIGNED this 19th day of January, 2023.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE